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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

11 RUSSELL D. ERIKSON AND KAY
 ERIKSON,

Case No. C 06 01928 JW

12 Plaintiffs,

**STIPULATION AND PROPOSED ORDER
 EXTENDING TIME**

13 vs.

14 ALLSTATE INSURANCE COMPANY;
 15 JAMES KINNEY, KATHERINE K.
 OSWALD, and Does 1 through 10,

16 Defendants.
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19 Pursuant to Local Rules 6.1(b) and 6.2, Plaintiffs, Russell D. Erikson and Kay E. Erikson,
 20 and Defendants, Allstate Insurance Company, James Kinney and Katherine K. Oswald, stipulate
 21 that the time for close of discovery, currently set for December 22, 2006, shall be extended to
 22 January 30, 2007, and the time for disclosure for expert witnesses, currently set for 63 days before
 23 said date, shall be extended to November 20, 2007. The parties further stipulate that the last day
 24 for filing dispositive motions shall be continued to January 26, 2007, and the last day for hearings
 25 on dispositive motions shall be continued to March 2, 2007.

26 The reason for the requested extension of time is that the wife of counsel for Plaintiffs
 27 underwent major surgery for a serious illness on September 20, 2006. As a result of this illness
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1 and the surgery, Plaintiffs' counsel has had a very limited work schedule and has not had
2 sufficient time to locate and retain an expert witness to testify.

3 There have been no previous time modifications in this case, whether by stipulation or
4 Court Order.

5 This time modification should have no significant effect on the schedule of the case as no
6 trial date has been set.

7 Respectfully submitted,

8 Dated: October 11, 2006

RUTAN & TUCKER, LLP

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10 By: 

Paul E. Rice

12 Attorneys for Plaintiffs Russell D. Erikson and
13 Kay E. Erikson

14 Dated: October 11, 2006

SONNENSCHN NATH & ROSENTHAL LLP

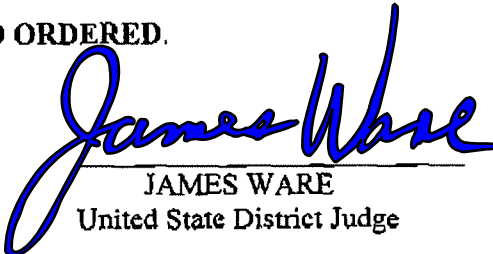
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16
17 By: 

Sonia Martin

18 Attorneys for Defendants Allstate Insurance
19 Company, James Kinney and Katherine Oswald

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21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22
23 Dated: October 13th, 2006

24 
25 JAMES WARE
26 United State District Judge